

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
Jermaine Cranmore, *on behalf of himself and
all others similarly situated,*

Plaintiff,

-against-

Parts Authority, LLC, Parts Authority-WAW LLC, DRA
Logistics Corp. d/b/a Workforce, and 130 S Equities LLC
d/b/a Workforce,

Defendants.
-----X

Index No.: 1:24-cv-05842

**ANSWER WITH
AFFIRMATIVE DEFENSES**

DRA Logistics Corp. d/b/a Workforce, and 130 S Equities LLC d/b/a Workforce (collectively, the “Defendants”), by and through their undersigned attorneys, Levin-Epstein & Associates, P.C., as and for their answer and affirmative defenses to the Complaint, filed on June 19, 2024 (the “Complaint”) of Plaintiff Jermaine Cranmore (the “Plaintiff”), hereby admit, deny and allege as follows:

NATURE OF THE COMPLAINT

1. The allegations contained in paragraph “1” of the Complaint set forth legal conclusions for which no response is required.
2. The allegations contained in paragraph “2” of the Complaint set forth legal conclusions for which no response is required.
3. The allegations contained in paragraph “3” of the Complaint set forth legal conclusions for which no response is required.

JURISDICTION

4. The allegations contained in paragraph “4” of the Complaint set forth legal conclusions for which no response is required.

VENUE

5. The allegations contained in paragraph “5” of the Complaint set forth legal conclusions for which no response is required.

THE PARTIES

Plaintiff Jermaine Cranmore

6. Defendants lack sufficient information with respect to the allegations contained in paragraph “6” of the Complaint.

7. The allegations contained in paragraph “7” of the Complaint set forth legal conclusions for which no response is required.

The Parts Authority Defendants

8. Defendants lack sufficient information with respect to the allegations contained in paragraph “8” of the Complaint.

9. Defendants lack sufficient information with respect to the allegations contained in paragraph “9” of the Complaint.

10. Defendants lack sufficient information with respect to the allegations contained in paragraph “10” of the Complaint.

11. Defendants lack sufficient information with respect to the allegations contained in paragraph “11” of the Complaint.

12. Defendants lack sufficient information with respect to the allegations contained in paragraph “12” of the Complaint.

13. Defendants lack sufficient information with respect to the allegations contained in paragraph “13” of the Complaint.

14. Defendants lack sufficient information with respect to the allegations contained in paragraph “14” of the Complaint.

15. Defendants lack sufficient information with respect to the allegations contained in paragraph “15” of the Complaint.

16. The allegations contained in paragraph “16” of the Complaint set forth legal conclusions for which no response is required.

The Workforce Defendants

17. Defendants admit the allegations contained in paragraph “17” of the Complaint.

18. Defendants admit the allegations contained in paragraph “18” of the Complaint.

19. The allegations contained in paragraph “19” of the Complaint set forth legal conclusions for which no response is required. To the extent that a response is required, Defendants deny the allegations contained in paragraph “19” of the Complaint.

20. The allegations contained in paragraph “20” of the Complaint set forth legal conclusions for which no response is required. To the extent that a response is required, Defendants deny the allegations contained in paragraph “20” of the Complaint.

21. The allegations contained in paragraph “21” of the Complaint set forth legal conclusions for which no response is required. To the extent that a response is required, Defendants deny the allegations contained in paragraph “21” of the Complaint.

22. The allegations contained in paragraph “22” of the Complaint set forth legal conclusions for which no response is required. To the extent that a response is required, Defendants deny the allegations contained in paragraph “22” of the Complaint.

23. The allegations contained in paragraph “23” of the Complaint set forth legal conclusions for which no response is required. To the extent that a response is required, Defendants deny the allegations contained in paragraph “23” of the Complaint.

FACTUAL ALLEGATIONS

24. The allegations contained in paragraph “24” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “24” of the Complaint.

25. The allegations contained in paragraph “25” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “25” of the Complaint.

26. The allegations contained in paragraph “26” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “26” of the Complaint.

27. The allegations contained in paragraph “27” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “27” of the Complaint.

28. The allegations contained in paragraph “28” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “28” of the Complaint.

29. The allegations contained in paragraph “29” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “29” of the Complaint.

30. The allegations contained in paragraph “30” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “30” of the Complaint.

31. The allegations contained in paragraph “31” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “31” of the Complaint.

32. The allegations contained in paragraph “32” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “32” of the Complaint.

33. The allegations contained in paragraph “33” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “33” of the Complaint.

34. The allegations contained in paragraph “34” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “34” of the Complaint.

35. The allegations contained in paragraph “35” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “35” of the Complaint.

36. The allegations contained in paragraph “36” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “36” of the Complaint.

37. The allegations contained in paragraph “37” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “37” of the Complaint.

38. The allegations contained in paragraph “38” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “38” of the Complaint.

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40. The allegations contained in paragraph “40” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “40” of the Complaint.

41. The allegations contained in paragraph “41” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “41” of the Complaint.

42. The allegations contained in paragraph “42” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “42” of the Complaint.

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45. The allegations contained in paragraph “45” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “45” of the Complaint.

46. The allegations contained in paragraph “46” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “46” of the Complaint.

47. The allegations contained in paragraph “47” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “47” of the Complaint.

48. The allegations contained in paragraph “48” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “48” of the Complaint.

The Parts Authority and Workforce Defendants Jointly Employed Cranmore and the Warehouse Workers Through a Subcontracting Scheme to Deny Them Lawful Wages

49. The allegations contained in paragraph “49” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “49” of the Complaint.

50. The allegations contained in paragraph “50” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “50” of the Complaint.

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67. The allegations contained in paragraph “67” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “67” of the Complaint.

68. The allegations contained in paragraph “68” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “68” of the Complaint.

69. The allegations contained in paragraph “69” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “69” of the Complaint.

70. The allegations contained in paragraph “70” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “70” of the Complaint.

71. The allegations contained in paragraph “71” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “71” of the Complaint.

72. The allegations contained in paragraph “72” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “72” of the Complaint.

73. The allegations contained in paragraph “73” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “73” of the Complaint.

COLLECTIVE ACTION ALLEGATIONS

74. The allegations contained in paragraph “74” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “74” of the Complaint.

75. The allegations contained in paragraph “75” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “75” of the Complaint.

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79. The allegations contained in paragraph “79” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “79” of the Complaint.

80. The allegations contained in paragraph “80” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “80” of the Complaint.

81. The allegations contained in paragraph “81” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “81” of the Complaint.

82. The allegations contained in paragraph “82” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “82” of the Complaint.

CLASS ACTION ALLEGATIONS

83. The allegations contained in paragraph “83” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “83” of the Complaint.

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90. The allegations contained in paragraph “90” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “90” of the Complaint.

91. The allegations contained in paragraph “91” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “91” of the Complaint.

92. The allegations contained in paragraph “92” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “92” of the Complaint.

93. The allegations contained in paragraph “93” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “93” of the Complaint.

94. The allegations contained in paragraph “94” of the Complaint set forth legal conclusions for which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph “94” of the Complaint.

FIRST CLAIM
(NYLL – Unpaid Minimum Wages)

95. No response is required to the statement set forth in paragraph “95” of the Complaint.

96. The allegations contained in paragraph “96” of the Complaint set forth legal conclusions for which no response is required.

97. The allegations contained in paragraph “97” of the Complaint set forth legal conclusions for which no response is required.

98. The allegations contained in paragraph “98” of the Complaint set forth legal conclusions for which no response is required.

99. The allegations contained in paragraph “99” of the Complaint set forth legal conclusions for which no response is required.

100. The allegations contained in paragraph “100” of the Complaint set forth legal conclusions for which no response is required.

SECOND CLAIM
(FLSA – Unpaid Overtime Wages)

101. No response is required to the statement set forth in paragraph “101” of the Complaint.

102. The allegations contained in paragraph “102” of the Complaint set forth legal conclusions for which no response is required.

103. The allegations contained in paragraph “103” of the Complaint set forth legal conclusions for which no response is required.

104. The allegations contained in paragraph “104” of the Complaint set forth legal conclusions for which no response is required.

105. The allegations contained in paragraph “105” of the Complaint set forth legal conclusions for which no response is required.

106. The allegations contained in paragraph “106” of the Complaint set forth legal conclusions for which no response is required.

107. The allegations contained in paragraph “107” of the Complaint set forth legal conclusions for which no response is required.

THIRD CLAIM
(NYLL – Unpaid Overtime Wages)

108. No response is required to the statement set forth in paragraph “108” of the Complaint.

109. The allegations contained in paragraph “109” of the Complaint set forth legal conclusions for which no response is required.

110. The allegations contained in paragraph “110” of the Complaint set forth legal conclusions for which no response is required.

111. The allegations contained in paragraph “111” of the Complaint set forth legal conclusions for which no response is required.

112. The allegations contained in paragraph “112” of the Complaint set forth legal conclusions for which no response is required.

FOURTH CLAIM
(NYLL – Unpaid Spread-of-Hours Pay)

113. No response is required to the statement set forth in paragraph “113” of the Complaint.

114. The allegations contained in paragraph “114” of the Complaint set forth legal conclusions for which no response is required.

115. The allegations contained in paragraph “115” of the Complaint set forth legal conclusions for which no response is required.

FIFTH CLAIM
(NYLL WTPA – Failure to Provide Wage Notices)

116. No response is required to the statement set forth in paragraph “116” of the Complaint.

117. The allegations contained in paragraph “117” of the Complaint set forth legal conclusions for which no response is required.

118. The allegations contained in paragraph “118” of the Complaint set forth legal conclusions for which no response is required.

119. The allegations contained in paragraph “119” of the Complaint set forth legal conclusions for which no response is required.

SIXTH CLAIM
(NYLL WTPA – Failure to Provide Wage Statements)

120. No response is required to the statement set forth in paragraph “120” of the Complaint.

121. The allegations contained in paragraph “121” of the Complaint set forth legal conclusions for which no response is required.

122. The allegations contained in paragraph “122” of the Complaint set forth legal conclusions for which no response is required.

123. The allegations contained in paragraph “123” of the Complaint set forth legal conclusions for which no response is required.

**SEVENTH CLAIM
(NYLL – Unlawful Deductions From Wages)**

124. No response is required to the statement set forth in paragraph “124” of the Complaint.

125. The allegations contained in paragraph “125” of the Complaint set forth legal conclusions for which no response is required.

126. The allegations contained in paragraph “126” of the Complaint set forth legal conclusions for which no response is required.

127. The allegations contained in paragraph “127” of the Complaint set forth legal conclusions for which no response is required.

128. The allegations contained in paragraph “128” of the Complaint set forth legal conclusions for which no response is required.

129. The allegations contained in paragraph “129” of the Complaint set forth legal conclusions for which no response is required.

130. The allegations contained in paragraph “130” of the Complaint set forth legal conclusions for which no response is required.

**EIGHTH CLAIM
(NYEPA – NYLL § 194 – Equal Pay Discrimination)**

131. No response is required to the statement set forth in paragraph “131” of the Complaint.

132. The allegations contained in paragraph “132” of the Complaint set forth legal conclusions for which no response is required.

133. The allegations contained in paragraph “133” of the Complaint set forth legal conclusions for which no response is required.

134. The allegations contained in paragraph “134” of the Complaint set forth legal conclusions for which no response is required.

135. The allegations contained in paragraph “135” of the Complaint set forth legal conclusions for which no response is required.

**NINTH CLAIM
(NYSHRL – Discrimination)**

136. No response is required to the statement set forth in paragraph “136” of the Complaint.

137. The allegations contained in paragraph “137” of the Complaint set forth legal conclusions for which no response is required.

138. The allegations contained in paragraph “138” of the Complaint set forth legal conclusions for which no response is required.

139. The allegations contained in paragraph “139” of the Complaint set forth legal conclusions for which no response is required.

140. The allegations contained in paragraph “140” of the Complaint set forth legal conclusions for which no response is required.

141. The allegations contained in paragraph “141” of the Complaint set forth legal conclusions for which no response is required.

142. The allegations contained in paragraph “142” of the Complaint set forth legal conclusions for which no response is required.

**TENTH CLAIM
(NYCHRL – Discrimination)**

143. No response is required to the statement set forth in paragraph “143” of the Complaint.

144. The allegations contained in paragraph “144” of the Complaint set forth legal conclusions for which no response is required.

145. The allegations contained in paragraph “145” of the Complaint set forth legal conclusions for which no response is required.

146. The allegations contained in paragraph “146” of the Complaint set forth legal conclusions for which no response is required.

147. The allegations contained in paragraph “147” of the Complaint set forth legal conclusions for which no response is required.

148. The allegations contained in paragraph “148” of the Complaint set forth legal conclusions for which no response is required.

149. The allegations contained in paragraph “149” of the Complaint set forth legal conclusions for which no response is required.

150. The allegations contained in paragraph “150” of the Complaint set forth legal conclusions for which no response is required.

PRAYER FOR RELIEF

151. Defendants deny that Plaintiff is entitled to any relief sought in the “WHEREFORE” clause.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

152. Plaintiff fails to state a claim, in whole or in part, upon which relief may be granted, either on their own behalf or on behalf of those persons who he purports to represent, or to whom they purportedly are similarly situated.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

153. Assuming arguendo, Defendants violated any provision of the FLSA and/or New York Labor Law, such violation was not pursuant to a uniform policy or plan.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

154. To the extent that the period of time alluded to in the Complaint, or the period of time alleged later in this action, predates the limitations period set forth in Section 6(a) of the Portal-to-Portal Act, 29 U.S.C. § 255(a), and any limitations period established by New York state law, such claims of Plaintiff are barred. This affirmative defense also may apply to the claims of some or all of the class of allegedly similarly situated persons, as alleged in the Complaint.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

155. Defendants did not engage in willful or unlawful conduct.

AS AND FOR A FIFTH AFFIRMATIVE DEFENSE

156. As to any liquidated damage or other claim of the Plaintiff, Defendants assert they acted in subjective good faith and had objectively reasonable grounds for the belief that the Defendants' policies and employee payments or omissions, including but not limited to the payment of wages complied with the law and were not a violation of the Fair Labor Standards Act.

AS AND FOR A SIXTH AFFIRMATIVE DEFENSE

157. Defendants are relieved of any liability for Plaintiff's wage claim to the extent that the claims are premised upon traveling to and from the actual place of performance, activities

which are preliminary and/or post-liminary to the alleged principal activity of employment because such activities were not compensable by the provisions of Section 4 of the Portal-to-Portal Act, 29 U.S.C. 254.

AS AND FOR A SEVENTH AFFIRMATIVE DEFENSE

158. Plaintiff's claims are barred in whole or in part to the extent that the work they performed falls within exemptions, exclusions, exceptions, offsets or credits permissible under the FLSA or NYLL, including but not limited to those provide for in 29 U.S.C. 207, 213 and its state law equivalents.

AS AND FOR AN EIGHTH AFFIRMATIVE DEFENSE

159. This action cannot be certified and supplemental or other jurisdiction should not be exercised over Plaintiff's New York Labor Law claims.

DEFENDANTS' GENERAL DEFENSES

FIRST GENERAL DEFENSE

160. Plaintiff was paid in accordance with all applicable law.

RESERVATION OF RIGHTS

161. Defendants reserve the right to raise additional affirmative defenses and to supplement those asserted herein upon discovery of further information and investigation into the Plaintiff's claims.

RESERVATION OF RIGHTS

162. Defendants reserve the right to raise additional affirmative defenses and to supplement those asserted herein upon discovery of further information and investigation into the Plaintiff's claims.

163. Defendants reserve the right to assert claims against Plaintiff arising out of Plaintiff's acts of theft.

WHEREFORE, Defendants demand judgment in their favor:

- (a) denying Plaintiff is entitled to the relief for which he prays on behalf of himself or any other individual or to any other relief.
- (b) dismissing the Complaint against Defendants on the merits with prejudice and in its entirety;
- (c) awarding Defendants their costs and disbursement, including reasonable attorneys' fees incurred in the action; and
- (d) granting Defendants such other and further relief as the Court may deem just and proper.

Dated: October 24, 2024
New York, New York

LEVIN-EPSTEIN & ASSOCIATES, P.C.

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Attorneys for Defendants